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**From:** Rich Parrish [rich@impactenvironmental.com]  
**Sent:** 5/22/2018 4:27:38 PM  
**To:** Rice, Scott [Rice.Scott@epa.gov]  
**CC:** Pratt, Stacie [Pratt.Stacie@epa.gov]; Mcgurk, Tracey [tmcgurk@pa.gov]  
**Subject:** RE: PCB TSCA Rules

Right, but the two issues there is:

- 1) If you go with the definition of quantifiable, one would need to go to the method detection limit which is .002 PPM. Strict application would require that to be the standard. Obviously that cant be the standard because you would then ban all materials (including polar ice cap media) from ever being used anywhere. Seems to me the section that you are referencing is not for non-point source media – rather, it is for PCB oil-products which can be inferred by the type of exemptions (reuse in transformers and switching – you cant use dirt in transformers and switching). Having the standard of .002 for PCB oil is sensible and seems to fit the intent of the regulations by my reading.
- 2) There is ample “reserved” places in the regulations for inclusion of new specific exemptions. Perhaps we need a new exemption definition in the 761.20 regulations.
- 3) Or, perhaps the disposal of the media can be done under R and D basis for State Authorized BUD sites.
- 4) Or, perhaps disposal at a State Authorized BUD site can be granted a Risk-based Disposal Approval under 760.61.

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**From:** Rice, Scott <Rice.Scott@epa.gov>  
**Sent:** Tuesday, May 22, 2018 12:14 PM  
**To:** Rich Parrish <rich@impactenvironmental.com>  
**Cc:** Pratt, Stacie <Pratt.Stacie@epa.gov>; Mcgurk, Tracey <tmcgurk@pa.gov>  
**Subject:** Re: PCB TSCA Rules

Hey Rich. I understand your concerns regarding the vetting of the material. I'm not exactly sure of the logistics in terms of when EPA and PADEP will discussing the issue, and I'm not sure who will be invited to attend the calls/conversations. My guess is that upper management from EPA and PADEP will discuss the issue and find a direction forward that everyone will be amenable to. Then we will disseminate that info to the regulated community. In regards to your question about the 2 ppm level:

Section 761.20(a) of the PCB regulations prohibit the use of PCBs at any concentration, other than in a totally enclosed manner, without an exemption.

Any concentration is defined in the PCB regulations as the “quantifiable level/level of detection” which specifies 2 ppm.

The distribution in commerce of PCBs at any concentration is only authorized for the purposes of disposal.

This is where the 2 ppm level comes from. Talk to you next week or soon thereafter. Best regards

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**From:** Rich Parrish <[rich@impactenvironmental.com](mailto:rich@impactenvironmental.com)>

**Sent:** Tuesday, May 22, 2018 11:41:38 AM

**To:** Rice, Scott

**Cc:** Pratt, Stacie; Mcgurk, Tracey

**Subject:** RE: PCB TSCA Rules

OK, my main question is from where is the 2 PPM limit derived? I have spent a lot of time researching the TSCA regulations – I just cant find the reference as its being applied. We go through extensive research to make sure that we don't have TSCA waste being accepted for BUD – we vet the material by not only the concentration (we use 50PPM always as an upper limit regardless of the Management of Fill Policy in PA) but also by the way in which it was liberated. We do not accept Point Source discharge material or material from PCB remediation sites. I always try to remember that there are high levels of PCBs in the polar ice -caps – they are everywhere as a non-point source pollutant. I hope that we can be party to any discussions with the State of PA .

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**From:** Rice, Scott <[Rice.Scott@epa.gov](mailto:Rice.Scott@epa.gov)>

**Sent:** Tuesday, May 22, 2018 11:32 AM

**To:** Rich Parrish <[rich@impactenvironmental.com](mailto:rich@impactenvironmental.com)>

**Cc:** Pratt, Stacie <[Pratt.Stacie@epa.gov](mailto:Pratt.Stacie@epa.gov)>; Mcgurk, Tracey <[tmcgurk@pa.gov](mailto:tmcgurk@pa.gov)>

**Subject:** Re: PCB TSCA Rules

Hey Rich. I am leaving on travel in a half hour and need to prepare for a project later this week. I know there will be some discussions going on this week or next with management. I don't think anything constructive will come of discussions between us prior to the management discussions. I got your message regarding other state regulations and how they might play into this. Rest assured we are looking into those aspects as well. Regardless of when management has these discussions, I will contact you next week to let you know the results and/or impacts of management's decisions. Best regards

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**From:** Rich Parrish <[rich@impactenvironmental.com](mailto:rich@impactenvironmental.com)>

**Sent:** Tuesday, May 22, 2018 11:23:35 AM

**To:** Rice, Scott

**Cc:** Pratt, Stacie; Mcgurk, Tracey

**Subject:** Re: PCB TSCA Rules

Can you and i talk today?

Richard Parrish, P.G.  
IMPACT ENVIRONMENTAL  
President

On May 22, 2018, at 11:16 AM, Rice, Scott <[Rice.Scott@epa.gov](mailto:Rice.Scott@epa.gov)> wrote:

Hey Rich, upper management will be discussing this later this week or next, and have plans to coordinate with PADEP to clarify the issue hopefully. They have to hash things out before I can start discussing and/or advising. I'll let you know what is going on as things happen and decisions get made. best regards

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**From:** Rich Parrish <[rich@impactenvironmental.com](mailto:rich@impactenvironmental.com)>

**Sent:** Monday, May 21, 2018 3:45:04 PM

**To:** Rice, Scott  
**Cc:** Pratt, Stacie; Mcgurk, Tracey  
**Subject:** Re: PCB TSCA Rules

Thank you so much - I didn't want to bother you on the day you got back - let me know a good time.

Richard Parrish, P.G.  
IMPACT ENVIRONMENTAL  
President

On May 21, 2018, at 3:39 PM, Rice, Scott <[Rice.Scott@epa.gov](mailto:Rice.Scott@epa.gov)> wrote:

Hey Rich. Thank you for the info. I have been out of the office for a while for various reasons. I will be speaking with my management this week about our current status on this issue, and will get back to you tomorrow to touch base regarding the TSCA regulations and how they mesh with beneficial use/clean fill. Best regards

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**From:** Rich Parrish <[rich@impactenvironmental.com](mailto:rich@impactenvironmental.com)>  
**Sent:** Tuesday, May 15, 2018 10:37:10 AM  
**To:** Rice, Scott  
**Cc:** Mcgurk, Tracey  
**Subject:** PCB TSCA Rules

I left you a message this afternoon with respect to a beneficial use project that I am working to remediate in Palmerton, PA. The site is using Regulated Fill that is being placed by Phase III Environmental, LLC. The owner of Phase III has asked me to contact you to begin a dialogue to bridge the Agency's application of the TSCA rules with New York and New Jersey cleanup and remediation standards. It is my hope to get representatives together into a meeting or teleconference to confer on PCB-impacted waste and how we may consider management options.

Rich Parrish  
CEO/President

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